

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

<b>NOTICE OF APPEAL AND TRANSMITTAL OF RESPONSE</b>		Docket Number <b>2345/157</b>	
Application Number <b>09/868,264</b>	Filing Date <b>December 14, 2001</b>	Examiner <b>Khanh Q. Dinh</b>	Art Unit <b>2151</b>
Title <b>DEVICE FOR CONTROLLING A TELECOMMUNICATIONS SYSTEM</b>		Applicant(s) <b>Wolfgang Ries et al.</b>	

Address to:  
Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office via the Office electronic filing system on  
Date: **October 8, 2008**  
Signature: /Linda Lecomte/

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated July 8, 2008, finally rejecting claims 5 and 7 to 9. Applicants believe that claims 5 and 7 to 9 should be allowed, and respectfully make this appeal of the Examiner's rejections of those claims.

In addition, Applicants are filing herewith a Response in the present application for consideration by the Patent Office.

The Commissioner is hereby authorized to charge the 37 C.F.R. § 1.191 Notice of Appeal fee, which is believed to be **\$540.00**, to the deposit account number **11-0600** of **Kenyon & Kenyon LLP**. The Commissioner is also authorized, as appropriate and/or necessary, to charge any additional fees, including any additional Rule 136(a) extension fees, or credit any excess fees to deposit account number **11-0600** of **Kenyon & Kenyon LLP**.

Dated: October 8, 2008

**CUSTOMER NO. 26646**

Respectfully submitted,  
By: /Linda Lecomte/  
Linda Shudy Lecomte (Reg. No. 47,084)  
KENYON & KENYON LLP  
One Broadway  
New York, New York 10004  
Tel. (212) 425-7200  
Fax (212) 425-5288